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Date: April 6, 2005	Phone Number	Fax Number
To: Examiner McFadden		(703) 872-9306
From: Kevin J. Zilka		

Docket No.: BVOC001**App. No: 09/769,880****Total Number of Pages Being Transmitted, Including Cover Sheet: 05****Message:**

Please deliver to Examiner McFadden.

Thank you,

Kevin J. Zilka

☐ *Original to follow Via Regular Mail* ☒ *Original will Not be Sent* ☐ *Original will follow Via Overnight Courier*

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ANY OTHER DIFFICULTY, PLEASE PHONE _____ Erica _____
AT (408) 971-2573 AT YOUR EARLIEST CONVENIENCE

April 6, 2005

Practitioner's Docket No. BVOC001

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Bertrand A. Damiba

Application No.: 09/769,880

Group No.: 2655

Filed: January 24, 2001

Examiner: McFadden, S.

For: SYSTEM, METHOD AND COMPUTER PROGRAM PRODUCT FOR A DISTRIBUTED
SPEECH RECOGNITION TUNING PLATFORMRECEIVED
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APR 06 2005

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Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES
(37 C.F.R. § 1.191)

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed January 6, 2005, finally rejecting claims 1-6, 11 and 16-26.

1. STATUS OF APPLICANT

This application is on behalf of a small entity. A statement was already filed on January 24, 2001.

CERTIFICATION UNDER 37 C.F.R. " 1.8(a) and 1.10*
(When using Express Mail, the Express Mail label number is *mandatory*;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

_ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

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37 C.F.R. § 1.10*

_ as "Express Mail Post Office to Addressee"

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TRANSMISSION

_ facsimile transmitted to the Patent and Trademark Office, (703) 872-9306

Date: 4/6/2005Signature Erica L. Farlow

Erica L. Farlow

(type or print name of person certifying)

* Only the date of filing (" 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under " 1.8 continues to be taken into account in determining timeliness. See " 1.703(j). Consider "Express Mail Post Office to Addressee" (" 1.10) or facsimile transmission (" 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

Notice of Appeal from the Primary Examiner to Board—page 1 of 2

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. § 1.17(b), the fee for filing the Appeal Brief is:

Small entity	\$250.00
Notice of Appeal fee due	\$250.00

3. EXTENSION OF TERM

Applicants believe no Extension of Term is necessary. However, if an extension of time is required, please consider this a petition therefor. Please charge the necessary fees to deposit account 50-1351 (Order No. BVOC001).

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee	\$250.00
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TOTAL FEE DUE \$250.00

5. FEE PAYMENT

Authorization is hereby made to charge the amount of \$250.00 to Deposit Account No. 50-1351 (Order No. BVOC001).

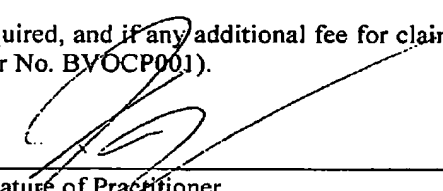
Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this transmittal is attached.

6. FEE DEFICIENCY

If any additional extension and/or fee is required, and if any additional fee for claims is required, charge Deposit Account No. 50-1351 (Order No. BVOC001).

Reg. No.: 41,429
Tel. No.: 408-971-2573
Customer No.: 28875



Signature of Practitioner
Kevin J. Zilka
Zilka-Kotab, PC
P.O. Box 721120
San Jose, CA 95172-1120
USA

Notice of Appeal from the Primary Examiner to Board--page 2 of 2

Practitioner's Docket No. BVOC001

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Bertrand A. Damiba

A large, bold, black stamp with the word "COPY" in a sans-serif font, preceded by a small icon of a document with a folded corner.

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Group No.: 2655

Filed: January 24, 2001

Examiner: McFadden, S.

For: SYSTEM, METHOD AND COMPUTER PROGRAM PRODUCT FOR A DISTRIBUTED
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TRANSMISSION

☒ facsimile transmitted to the Patent and Trademark Office, (703) 872-9306

Date:

4/6/2005

Signature

A handwritten signature in black ink, appearing to read "Erica L. Farlow".

Erica L. Farlow

(type or print name of person certifying)

* Only the date of filing (" 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under " 1.8 continues to be taken into account in determining timeliness. See " 1.703(f). Consider "Express Mail Post Office to Addressee" (" 1.10) or facsimile transmission (" 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

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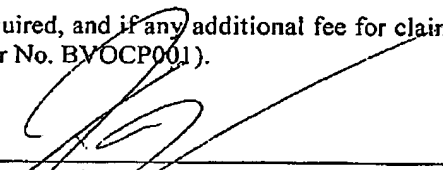
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